

1 HENRY WEISSMANN (SBN 132418)
henry.weissmann@mto.com
2 TAMERLIN J. GODLEY (SBN 194507)
tamerlin.godley@mto.com
3 MARGARET G. MARASCHINO (SBN 267034)
margaret.maraschino@mto.com
4 MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue
5 Thirty-Fifth Floor
Los Angeles, California 90071-1560
6 Telephone: (213) 683-9100
Facsimile: (213) 687-3702
7
8 Attorneys for Defendant VERIZON
CALIFORNIA, INC.

9 [Additional Counsel on Signature Page]

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12

13 SPRINT COMMUNICATIONS
COMPANY L.P.,

14 Plaintiff,

15 vs.

16 PACIFIC BELL TELEPHONE COMPANY
17 D/B/A AT&T CALIFORNIA;
18 VERIZON CALIFORNIA, INC; SUREWEST
TELEPHONE; and SUREWEST
19 TELEVIDEO,
20 Defendants.

Case No. 2:14-cv-01257-MCE-CKD

**JOINT STIPULATION AND ORDER
EXTENDING TIME FOR VERIZON
CALIFORNIA, INC TO RESPOND TO
COMPLAINT**

Judge: Hon. Morrison C. England, Jr,
Courtroom: #7
Action Filed: May 21, 2014

21 **STIPLULATION**
22

23 Plaintiff Sprint Communications Company L.P. ("Sprint") together with Defendant
24 Verizon California, Inc. ("Verizon") stipulate and agree as follows:

25 WHEREAS, Verizon and Sprint have stipulated to extended Verizon's time to respond to
26 the Complaint by twenty-eight (28) days to October 8, 2014 pursuant to Local Rule 144(a).

27 WHEREAS, Local Rules 143 and 144(a) provides that further extensions of time require
28 the approval of the Court.

1 WHEREAS, Sprint has brought effectively the same claims as set forth in the Complaint in
2 this action against various Verizon entities in numerous jurisdictions throughout the country.

3 WHEREAS, Sprint and Verizon are engaged in active settlement discussions to resolve the
4 dispute and avoid the necessity of litigation; however, a settlement has not yet been reached.

5 WHEREAS, as of today, Verizon and Sprint, as part of their ongoing settlement
6 discussions and to streamline and consolidate the various litigations, have agreed to file a Motion
7 to sever Sprint's claims against Verizon in this matter and to transfer those claims to the Eastern
8 District of Missouri, pursuant to Rule 21 of the Federal Rules of Civil Procedure and 28 U.S.C.
9 Section 1404.
10

11 WHEREAS, Sprint already has a lawsuit pending against MCI Metro Access Transmission
12 Services, Inc. and MCI Communications Services, Inc. – two Verizon entities – in that district. As
13 a result, consolidation of all of the Verizon entities in the Eastern District of Missouri will provide
14 a forum where Verizon can resolve all of their issues with Sprint.

15 WHEREAS, as part of the parties' agreement and in order to effectuate a more orderly
16 progression of the litigation, the parties have further agreed to extend the time for Verizon to
17 answer the Complaint in this action until October 15, 2014 in order to hopefully allow the Court
18 time to resolve the Motion to sever and transfer, which will be filed without opposition and with a
19 request to be reviewed on an expedited basis.
20

21 WHEREAS, Verizon and Sprint do not seek this extension for the purposes of delay but to
22 allow the parties to facilitate the orderly consolidation of similar lawsuits, to conduct efficient
23 settlement discussions, and to conserve the resources of the parties and the Court.
24

25 WHEREAS, all parties to this action have consented to this extension of time to respond.

26 THEREFORE, in consideration of the foregoing, it is hereby stipulated that:

27 Verizon's time to answer or otherwise respond to Sprint's Complaint will be extended for
28 an additional 7 days, from October 8 until October 15, 2014.

1 Sprint and Verizon collectively request that the Court grant Verizon this additional time to
2 answer or otherwise respond to Sprint's Complaint.
3
4

5 Respectfully submitted this 1st day of October, 2014.

6 DATED: October 1, 2014

ALBORG MARTIN & BUDDE LLP
DARRELL C. MARTIN
DENA E. H. BUDDE
2121 N. California Blvd., Suite 1010
Walnut Creek, CA 94596

STEESE, EVANS & FRANKEL, P.C.
CHARLES W. STEESE
JOHN T. OSGOOD
KIMBERLY A. SMILEY
6400 S. Fiddlers Green Cir.,
Suite 1820
Denver, CO 80111

14 By: /s/ Charles W. Steese
15 Charles W. Steese
16 As authorized on October 1, 2014

17 Attorneys for Plaintiff SPRINT COMMUNICATIONS
18 COMPANY L.P.

19
20 DATED: October 1, 2014

MUNGER, TOLLES & OLSON LLP

HENRY WEISSMANN
TAMERLIN J. GODLEY
MARGARET G. MARASCHINO
355 South Grand Avenue
Thirty-Fifth Floor
Los Angeles, California 90071-1560
Telephone: (213) 683-9100
Facsimile: (213) 687-3702

By: /s/ Tamerlin J. Godley
Tamerlin J. Godley

Attorneys for Defendant VERIZON CALIFORNIA,
INC.

DATED: October 1, 2014

MAYER BROWN LLP
MATTHEW H. MARMOLEJO
350 South Grand Avenue
25th Floor
Los Angeles, CA 90071-1503
213-229-9500-9483
213-625-0248 (fax)

By: /s/ Matthew H. Marmolejo
Matthew H. Marmolejo
As authorized on October 1, 2014

Attorneys for Defendant PACIFIC BELL TELEPHONE
COMPANY

ORDER

IT IS SO ORDERED.

DATED: October 8, 2014


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT